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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
TILLERY, RASHAWN N				
ART UNIT		PAPER NUMBER		
2174				
NOTIFICATION DATE		DELIVERY MODE		
02/13/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary

Application No.

10/581,460

Applicant(s)

BARLETTA ET AL.

Examiner

RASHAWN TILLERY

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. This communication is responsive to the Amendment filed 11/28/2009.
2. Claims 9-28 are pending in this application. Claims 9, 15 and 23 are independent claims. In the instant Amendment, claims 9-22 were amended, and claims 23-28 were added. This action is made Final.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 9-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Den Hoven et al ("Hoven", US 7152210) in view of Anderson (US 6847388).

Regarding claim 9, Hoven discloses a multimedia preview system in a for browsing content of requested multimedia data to be previewed, the content being displayed on a client terminal (see col. 3, line 54 to col. 4, line 9), the multimedia preview system comprising:

an interface (fig 1, 103) configured to receive commands indicating a speed at which the multimedia preview system is to browse through the content of the multimedia data (see col. 4, line 60 to col. 5, lines 15 where it is discussed that "the device 100 allows user to enter an input stroke in the browsing area 103. [...] The speed of the

scrolling 107 of the sequence 102 is varied in accordance with the speed of said input stroke."); and

controlling means for adapting at least one of the speed and a detail level of a presentation of at least one of text and an image, depending on at least one of a type and a frequency of the commands (see col. 4, line 30 to col. 5, line 21 where the speed of scrolling is discussed).

Hoven does not explicitly disclose the multimedia preview system as a client/server-based network system; nor is it expressly disclosed that the multimedia data is browsed such that a degree of presented details is higher when the speed is lower and vice versa, and for changing the layout of the displayed multimedia data depending on the speed of browsing.

However, such features are well known in the art. For instance, Anderson teaches an image capture and display system that allows users accelerated review and navigation through a series of images (see fig 1; also see col.3, line 58 to col. 4, line 11). Upon capture of an image, or a series of images, the data is transferred to a computer for processing- compressing, decompressing, etc (see fig 3; also see col. 5, lines 49-58). The image data is retrieved by the image capture device where user is permitted to browse through low-, medium-, or high-resolution images (see col. 7, line 1 to col. 8, line 58). Generally, the image data is browsed using lower-resolution, thumbnail images since the need for decompression upon retrieval and display is eliminated; and thus, increasing navigation speed. Once user identifies an image of

choice, a higher-resolution, full-sized image can be displayed (see col. 13, line 6 to col. 14, line 32).

It would have been obvious to an artisan at the time the invention was made to modify Hoven's browsing system by including Anderson's teachings in an effort to accelerate the review and navigation through captured images.

Regarding claim 10, the modified Hoven teaches means for displaying the multimedia data with different layouts depending on the speed (see Anderson, fig 8).

Regarding claim 11, the modified Hoven teaches means for setting semantic focus proportional to the speed (see claim 1 above where the low-, medium-, and high-resolution images are discussed; examiner notes that the degree of image data displayed varies for each resolution).

Regarding claim 12, the modified Hoven teaches means for introducing special tags in the multimedia data for changing the layout of the displayed multimedia data (inherent feature).

Regarding claim 13, the modified Hoven teaches the multimedia preview system as a video-on-demand system with an additional means for varying the speed and the detail level of the presentation, depending on at least one of a type and a frequency of commands instructing the multimedia preview system to change the speed (see col. 3, lines 54-64 where the video streams are discussed; also see col. 4, line 60 to col. 5, line 14 where speed of scrolling is discussed) such that the detail level is higher when the speed is lower and vice versa (see claim 1 above where the thumbnail images are discussed).

Regarding claim 14, Hoven discloses the controlling means includes a touch-sensitive display configured to navigate through the multimedia data to be previewed (see col. 4, line 60 to col. 5, line 21 where stroking gesture is discussed).

Claims 15-18 are similar in scope to claims 9-12, respectively, and are therefore rejected under similar rationale.

Regarding claim 19, the modified Hoven teaches associating metadata of any kind allowing identification of segmented parts of multimedia data to be previewed to the multimedia data; and synchronizing the metadata with the multimedia data (inherent feature).

Regarding claim 20, Hoven discloses the user commands are based on movements of a user's finger across a touch-sensitive display, a length of a movement path of the finger being directly proportional to at least one of the speed of browsing and the detail level of the presentation when displaying the multimedia data (see col. 4, line 60 to col. 5, line 21 where stroking gesture is discussed).

Regarding claim 21, Hoven discloses the user commands are based on forces exerted by a user's finger to a surface of a touch-sensitive display, the force being directly proportional to at least one of the speed of browsing and the detail level of the presentation when displaying the multimedia data (see col. 4, line 60 to col. 5, line 21 where stroking gesture is discussed).

Regarding claim 22, Hoven discloses the commands are based on a duration of forces exerted by a user's finger to a surface of a touch-sensitive display, the duration being directly proportional to at least one of the speed of browsing and the detail level of

the presentation when displaying the multimedia data (see col. 4, line 60 to col. 5, line 21 where pressure exerted is discussed).

Claims 23-28 are similar in scope to claims 9-14, respectively, and are therefore rejected under similar rationale.

Response to Arguments

5. Applicant's arguments filed 11/28/2008 have been fully considered but they are not persuasive.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Examiner thus contends that the combination of Hoven and Anderson disclose Applicant's claimed controlling means for changing the layout of displayed multimedia data depending on a speed of browsing as discussed above and in the previous Office Action.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RASHAWN TILLERY whose telephone number is 571-272-6480. The examiner can normally be reached on M-F 8:30 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RNT

/Adam L Basehoar/
Primary Examiner, Art Unit 2178